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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,116	11/14/2003	Harold E. Hamilton	M366.12-0027	1937
27367	7590	03/15/2006	EXAMINER	
WESTMAN CHAMPLIN & KELLY, P.A. SUITE 1400 - INTERNATIONAL CENTRE 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319			TANNER, HARRY B	
		ART UNIT	PAPER NUMBER	
		3744		
DATE MAILED: 03/15/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

SPP

Office Action Summary	Application No.	Applicant(s)
	10/714,116	HAMILTON ET AL.
	Examiner Harry B. Tanner	Art Unit 3744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 December 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
 - 4a) Of the above claim(s) 19 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

Applicant's election with traverse of the invention of Group I in the reply filed on 12/22/05 is acknowledged. The traversal is on the ground(s) that claim 19 while broader than claims 1-18 is directed to the same invention. This is not found persuasive because claim 19 is directed to a rotary valve and recites only valve structure. The phrase "for use in a burn-in-oven ..." is only a statement of intended use and does not limit the scope of the claimed valve.

The requirement is still deemed proper and is therefore made FINAL.

Claim 19 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 12/22/05.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al (5,582,235) in view of Kondou et al. Hamilton '235 discloses the invention substantially as claimed. Hamilton '235 discloses a valve system for a burn-in oven having a plurality of controllable valves 100a-100n positioned above a plurality of integrated circuits 25a-25n on a burn-in board 15 in which each valve is operated by

a separate electric motor 110a-110n under control of a controller 35 in response to the individual integrated circuit's temperature sensors 30a-30n. Kondou teaches the use of a plurality of elongated plenums 30 each with a plurality of openings 4 over integrated circuits 2 on boards 1 in order to provide cooling of the circuits in a compact space from a single cooling source 13 (see Figure 9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system of Hamilton '235 such that it included the use of plurality of elongated plenums each with a plurality of openings over integrated circuits with the controllable valves at each opening in order to provide cooling of a plurality of circuits in a compact space from a single cooling source in view of the teachings of Kondou.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al (5,582,235) in view of Kondou et al as applied to claim 1 above, and further in view of Yoo. Yoo teaches the use of rotary valve having a cylindrical body 104 with a central opening 105 for using in controlling air flow (see Figures 5A-5C). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system of Hamilton such that it included the use of rotary valves having a cylindrical body with a central opening for using in controlling cooling air flow in view of the teachings of Yoo.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry B. Tanner whose telephone number is (571) 272-4813. The examiner can normally be reached 8:30 am to 5:00 pm Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler, can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Harry B. Tanner
Primary Examiner
Art Unit 3744